

Due Date: November 13, 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**NOV 14 2005**

Applicant: Craig A. Finseth et al. Examiner: Hunter B. Lonsberry  
Serial No.: 09/536,101 Group Art Unit: 2611  
Filed: March 24, 2000 Docket: PD-990196  
Title: METHOD AND APPARATUS FOR WATERMARKING RECEIVED TELEVISION CONTENT

**CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that this correspondence is being filed via facsimile transmission to the U.S. Patent and Trademark Office on November 14, 2005.

By: *Victor G. Cooper*  
Name: Victor G. Cooper

**MAIL STOP APPEAL BRIEF - APPELLANTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing a Certificate of Mailing or Transmission under 37 CFR 1.8.
- ☒ Brief of Appellant(s).
- ☒ Charge the Fee for the Brief of Appellant(s) in the amount of \$500.00 to the Deposit Account.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

Please charge all fees to Deposit Account No. 50-0494 of Gates & Cooper LLP. A duplicate of this paper is enclosed.

Customer Number 22462

**GATES & COOPER LLP**  
Howard Hughes Center  
6701 Center Drive West, Suite 1050  
Los Angeles, CA 90045  
(310) 641-8797

By: *Victor G. Cooper*  
Name: Victor G. Cooper  
Reg. No.: 39,641  
VGC/nmj

Adjustment date: 01/26/2006 SDENB081  
11/21/2005 WLAWSON 00000001 500494 09536101  
01 FC:1252 450.00 CR

G&C 10934-US-U1

000-1-000 1-570 P-000

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11-14-2005 08:01PM FROM-Gates & Cooper, LLP

01 FC:1252 450.00 DA

11/21/2005 WLAWSON 00000001 500494 09536101

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JAN 10 15 4 23

Applicant: Craig A. Finseth et al. Examiner: Hunter B. Lonsberry  
Serial No.: 09/536,101 Group Art Unit: 2611  
Filed: March 24, 2000 Docket: PD-990196  
Title: METHOD AND APPARATUS FOR WATERMARKING RECEIVED  
TELEVISION CONTENT

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 11, 2006.

By:   
Name: George H. Gates

REQUEST FOR REFUND UNDER 37 C.F.R. §1.26

Mail Stop 16  
Director of the US Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a request for a refund in the amount of \$450 for an extension fee for response within the second month, PTO Fee Code 1252, which was charged to Deposit Account No. 50-0494 of Gates & Cooper LLP on November 21, 2005 for the above-identified patent application.

As a Notice of Panel Decision from Pre-Appeal Brief Review was mailed on October 13, 2005, and the period for reply was indicated as either a month from the mailing of the decision or the balance of the two month time period running from the receipt of the notice of appeal, whichever is later, the new date for response would be November 13, 2005. We fax-filed a Brief of Appellants on November 14, 2005, as November 13 was a Sunday. As such, there should be no extension fee. Enclosed for your reference is the Notice of Panel Decision from Pre-Appeal Brief Review dated October 13, 2005 and the transmittal and PTO fax confirmation of the Brief of Appellants fax-filed on November 14, 2005.

It is therefore respectfully requested that a refund in the amount of ~~6450~~ be credited to  
Deposit Account No. 50-0494 of Gates & Cooper LLP. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

GATES & COOPER LLP  
Attorneys for Applicant(s)

Howard Hughes Center  
6701 Center Drive West, Suite 1050  
Los Angeles, California 90045  
(310) 641-8797

Date: January 11, 2006

By: 

Name: George H. Gates

Reg. No.: 33,500

GHG/jml

G&C 109.24-USU1

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OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

706 JAN 18 PM 4:28

Applicant:	Craig A. Finseth et al	Examiner:	Hunter B. Lounsbury
Serial No.:	09/536,101	Group Art Unit:	2611
Filed:	March 24, 2000	Docket:	PD-990196
Title:	METHOD AND APPARATUS FOR WATERMARKING RECEIVED TELEVISION CONTENT		

**CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8**

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By:   
Name: George H. Gates

Mail Stop 16  
Director of the US Patent and Trademark Office  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

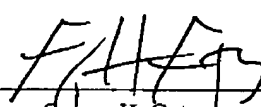
We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing a Certificate of Mailing under 37 CFR 1.8.
- ☒ Request for Refund of \$450 to Deposit Account No. 50-0494 for extension fee for response within 2<sup>nd</sup> month.
- ☒ Copy of Notice of Panel Decision from Pre-Appeal Brief Review dated October 13, 2005 and copy of transmittal and PTO fax confirmation of Brief of Appellant(s) fax-filed on November 14, 2005.
- ☒ Return postcard.

Please consider this a **PETITION FOR EXTENSION OF TIME** for a sufficient number of months to enter these papers, if appropriate.

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Customer Number 22462  
**GATES & COOPER LLP**  
Howard Hughes Center  
6701 Center Drive West, Suite 1050  
Los Angeles, CA 90045  
(310) 641-8797

By:   
Name: George H. Gates  
Reg. No.: 33,500  
GHG/jml

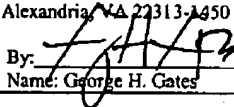
(PTO TRANSMITTAL - GENERAL)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Craig A. Finseth et al Examiner: Hunter B. Lounsberry  
Serial No.: 09/536,101 Group Art Unit: 2611  
Filed: March 24, 2000 Docket: PD-990196  
Title: METHOD AND APPARATUS FOR WATERMARKING RECEIVED TELEVISION  
CONTENT

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

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By:   
Name: George H. Gates

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Director of the US Patent and Trademark Office  
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Dear Sir:

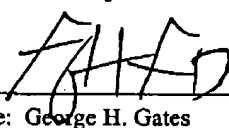
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By:   
Name: George H. Gates  
Reg. No.: 33,500  
GHG/jml

(PTO TRANSMITTAL - GENERAL)



UNITED STATES PATENT AND TRADEMARK OFFICE

109.24-45-61  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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Alexandria, Virginia 22315-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/536,101	03/24/2000	Craig A. Finseth	PD-990196	2196
20991	7590	10/13/2005		
THE DIRECTV GROUP INC PATENT DOCKET ADMINISTRATION RE/R11/A109 P O BOX 956 EL SEGUNDO, CA 90245-0956				
EXAMINER LONSBERRY, HUNTER B				
ART UNIT 2611				
PAPER NUMBER				




DATE MAILED: 10/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Appeal Brief Due: Nov. 13, 2005 *AS*  
Appeal Brief Due-6: Feb. 5, 2006 *AS*

RECEIVED  
OCT 18 2005 *ml*

Gates & Cooper LLP

<b>Application Number</b> 	<b>Application/Control No.</b> 09/536,101 Christopher Grant	<b>Applicant(s)/Patent under Reexamination</b> FINSETH ET AL. Art Unit 2611
<b>Document Code - AP.PRE.DEC</b>		

## Notice of Panel Decision from Pre-Appeal Brief Review



This is in response to the Pre-Appeal Brief Request for Review filed 8/5/2005.

1. ☐ **Improper Request** – The Request is improper and a conference will not be held for the following reason(s):

- ☐ The Notice of Appeal has not been filed concurrent with the Pre-Appeal Brief Request.
- ☐ The request does not include reasons why a review is appropriate.
- ☐ A proposed amendment is included with the Pre-Appeal Brief request.
- ☐ Other:

The time period for filing a response continues to run from the receipt date of the Notice of Appeal or from the mail date of the last Office communication, if no Notice of Appeal has been received.

2. ☒ **Proceed to Board of Patent Appeals and Interferences** – A Pre-Appeal Brief conference has been held. The application remains under appeal because there is at least one actual issue for appeal. Applicant is required to submit an appeal brief in accordance with 37 CFR 41.37. The time period for filing an appeal brief will be reset to be one month from mailing this decision, or the balance of the two-month time period running from the receipt of the notice of appeal, whichever is greater. Further, the time period for filing of the appeal brief is extendible under 37 CFR 1.136 based upon the mail date of this decision or the receipt date of the notice of appeal, as applicable.

☒ The panel has determined the status of the claim(s) is as follows:

Claim(s) allowed: \_\_\_\_\_

Claim(s) objected to: \_\_\_\_\_

Claim(s) rejected: 1-6, 8-14, 16-24, 26-34, 36-62.

Claim(s) withdrawn from consideration: \_\_\_\_\_

3. ☐ **Allowable application** – A conference has been held. The rejection is withdrawn and a Notice of Allowance will be mailed. Prosecution on the merits remains closed. No further action is required by applicant at this time.

4. ☐ **Reopen Prosecution** – A conference has been held. The rejection is withdrawn and a new Office action will be mailed. No further action is required by applicant at this time.

All participants:

(1) Christopher Grant

(2) Hunter Lonsberry

(3) Tommy Chin

(4) \_\_\_\_\_

# Auto-Reply Facsimile Transmission



TO: Fax Sender at +13106418798

Fax Information  
 Date Received: 11/14/2005 8:45:17 PM [Eastern Standard Time]  
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 Cover  
 Page

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By: *[Signature]*  
 Name: Victor C. Cooper  
 Reg. No.: 39,049

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Our Ref. No.	PD-090196
Title	METHOD AND APPARATUS FOR WATERMARKING RECEIVED
Class. Div. No.	3611
Filed	March 24, 2000
Serial No.	09/536,101
Applicant	Craig A. Fausch et al.
Transmitted	
Title of Document	BRIEF OF APPLICANTS

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PTO FAX NUMBER: 512-773-6100

Total pages, including cover letter: 38

TO: Commissioner for Patents  
 Aaron Haimovitz Hunter R. Lonsberry  
 Patent Examining Corps  
 Alexandria, VA 22314-1450

FROM: Gates & Cooper LLP  
 Victor C. Cooper  
 OLR REF: PD-390196  
 TELEPHONE: (310) 641-8798

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Gates & Cooper LLP  
 Howard Hughes Center  
 6701 Center Drive West, Suite 1050  
 Los Angeles, California 90045

PAGE 38 OF 38 AT 11/14/2005 8:45:17 PM Eastern Standard Time FAX TO: +13106418798 FAX FROM: +13106418798